

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION

ALBERT EDMOND, #30523

VS.

CIVIL ACTION NO. 2:05cv2152-KS-JMR

LAWRENCE KELLY AND JIM HOOD

ORDER

This cause came on this day to be heard on the Proposed Findings of Fact and Recommendations of Chief United States Magistrate Judge M. Roper, Jr. entered on May 25, 2006, after referral of hearing by this Court, objection filed by Petitioner, Albert Edmond, #30523 (Edmond) on June 8, 2006. After thoroughly reviewing the findings in the Report and Recommendation, in addition to the position of the Petitioner advanced in his Objection, the Court finds that the Report and Recommendations should be adopted as the findings of the Court for the reason that the petition is clearly barred by the one year statute of limitations set forth in the Anti-Terrorism and Effective Death Penalty Act (AEDPA). It is simply a matter of doing the math to see that the petition is clearly time barred. Petitioner sets forth no justification for equitable tolling and all of his “supposed issues” have been addressed in the state court system.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation of Chief Magistrate Judge John M. Roper, Jr., entered on May 25, 2006, should be and is hereby adopted as the findings of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Edmond’s Objection to the Report and Recommendation entered in this cause on June 8, 2006, should be and is hereby **overruled**.

IT IS, THEREFORE, ORDERED that the Complaint is hereby dismissed with prejudice. A separate judgment will be entered herein in accordance with this order as required by Rule 58

of the Federal Rules of Civil Procedure.

SO ORDERED AND ADJUDGED on this, the 17th day of July, 2006.

s/ *Keith Starrett*  
UNITED STATES DISTRICT JUDGE